

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

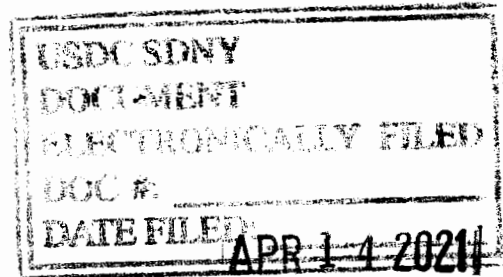
NIGEL NAQUAN FREDERICKS,

Plaintiff,

-against-

JANE DOE,

Defendant.



21-CV-00553 (GBD)

VALENTIN ORDER

GEORGE B. DANIELS, United States District Judge:

Plaintiff, currently incarcerated in the Anna M. Kross Center on Rikers Island, brings this *pro se* action under 42 U.S.C. § 1983, alleging that he was denied adequate dental treatment. By order dated January 22, 2021, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis*.<sup>1</sup>

Under *Valentin v. Dinkins*, a *pro se* litigant is entitled to assistance from the district court in identifying a defendant. 121 F.3d 72, 76 (2d Cir. 1997). In the amended complaint, Plaintiff arguably supplies sufficient information to permit the New York City Department of Correction to identify a female dentist working in Rikers Island between August 2, 2019, and January 5, 2021. (ECF 9.) It is therefore ordered that the New York City Law Department, which is the attorney for and agent of the New York City Department of Correction, must ascertain the identity of the Jane Doe dentist whom Plaintiff seeks to sue here and the address where the defendant may be served. The New York City Law Department must provide this information to Plaintiff and the Court within sixty days of the date of this order.

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<sup>1</sup> Prisoners are not exempt from paying the full filing fee even when they have been granted permission to proceed *in forma pauperis*. See 28 U.S.C. § 1915(b)(1).

Within thirty days of receiving this information, Plaintiff must file a second amended complaint naming the Jane Doe defendant. The second amended complaint will replace, not supplement, the original complaint. A second amended complaint form that Plaintiff should complete is attached to this order. Once Plaintiff has filed a second amended complaint, the Court will screen the second amended complaint and, if necessary, issue an order directing the Clerk of Court to complete the USM-285 form with the address for the named Jane Doe Defendant and deliver all documents necessary to effect service to the U.S. Marshals Service.

### CONCLUSION


The Clerk of Court is directed to mail a copy of this order to Plaintiff, along with an information package.

The Clerk of Court is further directed to mail a copy of this order and the complaint to the New York City Law Department at: 100 Church Street, New York, NY 10007.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: April 14, 2021  
New York, New York

  
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GEORGE B. DANIELS  
United States District Judge